

**RECORD OF PROCEEDINGS OF THE GOVERNING BODY
CITY OF GARDNER, KANSAS**

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January 3, 2022

The City Council of the City of Gardner, Kansas met in regular session on January 3, 2022, at 7:00 p.m. in the Council Chambers at Gardner City Hall, 120 East Main Street, Gardner, Kansas, with Mayor Todd Winters presiding. Present were Councilmembers Mark Baldwin, Kacy Deaton, Tory Roberts, and Steve Shute. City staff present were City Administrator James Pruetting; Deputy City Administrator Amy Nasta; Finance Director Matthew Wolff; Police Chief James Belcher; Utilities Director Gonz Garcia; Community Development Director David Knopick; Public Works Director Kellen Headlee; City Attorney Ryan Denk; and City Clerk Sharon Rose. Others present included those listed on the sign-in sheet and others who did not sign in.

CALL TO ORDER

There being a quorum of Councilmembers present, Mayor Winters called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

Mayor Winters led those present in the Pledge of Allegiance.

PRESENTATIONS

PUBLIC HEARINGS

PUBLIC COMMENTS

No members of the public came forward.

CONSENT AGENDA

1. **Standing approval of the minutes as written for the regular meeting on December 20, 2021**
2. **Standing approval of City expenditures prepared December 17, 2021 in the amount of \$1,695,973.88**
3. **Consider authorizing an addendum with Burns & McDonnell for construction services on the I-35 and Gardner Road Interchange project**
4. **Consider authorizing the execution of a Professional Services and Support Agreement for hosting, licensing, and support services for smart meter infrastructure**

Councilmember Deaton made a motion to approve the Consent Agenda.

Councilmember Baldwin Seconded.

With all of the Councilmembers voting in favor of the motion, the motion carried.

PLANNING & ZONING CONSENT AGENDA

COMMITTEE RECOMMENDATIONS

OLD BUSINESS

NEW BUSINESS

1. Consider applicants for City Council

Mayor Todd Winters shared that the vacancy process is transparent, fair and equitable. The applications were released to the public, the interview process and questions were released to the applicants. Each applicant is asked the same set of questions and given the same time limit. When the vacancy opened, staff followed the process in the charter ordinance. There was a notice in the newspaper, online and social media. The application deadline was December 20. Six original applicants were reviewed by the governing body, but one applicant has withdrawn. The interviews will be conducted in alphabetical order by last name. Each applicant will provide a 2-minute opening statement. They will be asked a set of three questions and the governing body will be allowed to ask follow up questions. Each applicant will provide a 1-minute closing statement. The governing body will rank their choices with 1 being their top choice.

The full interviews can be viewed here: <https://www.youtube.com/watch?v=lymUPQ4NSo8>

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Mayor Winters thanked the candidates for coming out. He appreciates their ideas and thoughts. The governing body will turn their ranking sheets over to the city clerk. If there is consensus with three '1' rankings for the same applicant, they will not go into a second ranking. Councilmember Shute asked if they have a selection this evening, would they be sworn in tonight. Winters confirmed, if they have a majority vote, the applicant would be sworn in this evening.

City Clerk Rose tallied the results. City Attorney Denk certified them. Mayor Winters noted consensus with a majority choosing the same top applicant and there will be no second ranking. The top ranked applicant receiving three '1' rankings is Erik Potter.

Councilmember Baldwin made a motion to appoint Erik Potter to the City Council seat with a term expiring in December 2023.

Councilmember Shute Seconded.

With all of the Councilmembers voting in favor of the motion, the motion carried.

Councilmember Shute thanked everyone who put themselves through the interview process. Please consider joining a committee.

City Clerk Rose administered the Oath of Office to Erik Potter.

2. Consider selecting a President and Vice-President of the Council

Mayor Todd Winters said they needed to select a president and vice president of the council. He opened the nominations. Councilmember Shute requested a summary of the duties of the offices. Winters said in absence of the mayor, the president assumes the duties of the mayor, and the vice-president does the same in the absence of the mayor and president.

Mayor Winters asked for nominations for president. Councilmember Shute nominated Councilmember Baldwin to be appointed as council president.

Councilmember Deaton seconded.

With all of the Councilmembers voting in favor of the motion, the motion carried.

Mayor Winters opened nominations for vice president. Councilmember Roberts nominated herself to be appointed as council vice-president. She has served four years and would provide a unique, fair, and dedicated voice.

The motion failed due to lack of second.

Mayor Winters nominated Councilmember Shute. Shute said the mayor can't nominate. City Attorney Denk said the GBROP states it is "appointed from members of the city council by a majority vote", so that does not include the mayor. Councilmember Deaton nominated Councilmember Shute to be appointed as council vice-president.

Councilmember Baldwin seconded.

With all of the Councilmembers voting in favor of the motion, the motion carried.

3. Consider adopting a resolution describing the corporate limits and boundaries of the city

Public Works Director Kellen Headlee said this a housekeeping item. Kansas statute requires the city to update the corporate limits description every year when the limits of the city have changed over the previous year. In 2021, the council adopted several ordinances incorporating properties by annexation. This resolution would update the corporate limits to include those properties.

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Councilmember Baldwin made a motion to adopt a resolution describing the Corporate Limits and Boundaries of the City of Gardner, Johnson County, Kansas, a city of the second class.

Councilmember Deaton Seconded.

With all of the Councilmembers voting in favor of the motion, the Resolution passed and was assigned Resolution number 2098.

Baldwin:	Yes
Deaton:	Yes
Roberts:	Yes
Shute:	Yes
Potter:	Yes

COUNCIL UPDATES

Chief Belcher said they lost two members last week to retirement. He wishes them the best as they move on to future endeavors.

City Clerk Rose noted there are openings on several committees, and recommends revising the interview teams now that members and seats have changed. The Planning Commission and EDAC need an additional member on the interview team. Councilmember Shute said he would like to fill the opening on the Planning Commission team. Mayor Winters asked if Councilmember Potter would fill the opening on the EDAC team. Potter agreed.

Director Garcia said they energized and placed in service the electric infrastructure for Prairie Trace Meadows and Estates. The water is in. The east lift station is completed. They will do the final commissioning next week. The east interceptor is in place; they are working on the west interceptor. They should have the final design on the west lift station in two weeks. The primary infrastructure is in place.

Councilmember Deaton said she was invited to speak to a Cub Scout den next week.

Councilmember Shute asked Finance Director Wolff about the city's current financial position. They are experiencing compensation issues that need to be addressed. City Administrator Pruetting said staff will provide something more comprehensive soon.

Councilmember Potter thanked the governing body for the opportunity.

Mayor Winters thanked Parks for working with a resident to get a plaque on a bench honoring someone who recently passed away.

EXECUTIVE SESSION

ADJOURNMENT

There being no further business to come before the Council, on a motion duly made by Councilmember Shute and seconded by Councilmember Deaton the meeting adjourned at 8:27p.m.

City Clerk